

SENATE BILL 316

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2004 Regular Session
4r1679
CF 4r2667

By: **Senators Green, Forehand, Astle, Britt, Brochin, Conway, Currie,
DeGrange, Frosh, Garagiola, Giannetti, Gladden, Grosfeld, Haines,
Hollinger, Hughes, Jones, Kelley, Kittleman, Lawlah, McFadden, Pinsky,
Ruben, and Stone**

Introduced and read first time: February 2, 2004
Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Court Fees and Costs - Civil Cases - Maryland Legal Services Corporation**
3 **Fund**

4 FOR the purpose of altering a certain surcharge on certain fees, charges, and costs in
5 certain civil cases in the circuit courts and the District Court of Maryland; and
6 generally relating to certain surcharges deposited into the Maryland Legal
7 Services Corporation Fund.

8 BY repealing and reenacting, without amendments,
9 Article - Courts and Judicial Proceedings
10 Section 7-202(a)(1)
11 Annotated Code of Maryland
12 (2002 Replacement Volume and 2003 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article - Courts and Judicial Proceedings
15 Section 7-202(d) and 7-301(c)
16 Annotated Code of Maryland
17 (2002 Replacement Volume and 2003 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
19 MARYLAND, That the Laws of Maryland read as follows:

20 **Article - Courts and Judicial Proceedings**

21 7-202.

22 (a) (1) The State Court Administrator shall determine the amount of all
23 court costs and charges for the circuit courts of the counties with the approval of the
24 Board of Public Works. The fees and charges shall be uniform throughout the State.

1 (d) The State Court Administrator, as part of the Administrator's
2 determination of the amount of court costs and charges in civil cases, shall assess a
3 surcharge that:

4 (1) May not be more than [\$10] \$40 per case; and

5 (2) Shall be deposited into the Maryland Legal Services Corporation
6 Fund established under § 7-408 of this title.

7 7-301.

8 (c) (1) The filing fees and costs in a civil case are those prescribed by law
9 subject to modification by law, rule, or administrative regulation.

10 (2) The Chief Judge of the District Court shall assess a surcharge that:

11 (i) May not be more than:

12 1. \$5 PER SUMMARY EJECTMENT CASE; AND

13 2. [\$2] \$17 per [civil] case FOR ALL OTHER CIVIL CASES;

14 and

15 (ii) Shall be deposited into the Maryland Legal Services
16 Corporation Fund established under § 7-408 of this title.

17 (3) The Court of Appeals may provide by rule for waiver of prepayment of
18 filing fees and other costs in cases of indigency.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 2004.